


CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.			
Typed or Printed Name	Margaret Pierce		
Signature		Date	1/17/02

PRELIMINARY AMENDMENT	Attorney Docket Confirmation No.	ROCH001DIV
Address to: Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231	First Named Inventor	Cannon et al.
	Application Number	unassigned
	Filing Date	Herewith
	Group Art Unit	
	Examiner Name	
	Title	Human Intestinal Npt2B

Sir:

Prior to examination of the application on the merits, please enter the following amendments:

### I. AMENDMENTS

#### IN THE SPECIFICATION

On page 1, please replace the paragraph under "CROSS-REFERENCE TO RELATED APPLICATIONS" with the following re-written paragraph:

This application is a divisional application of U.S. Patent Application Serial No. 09/499,964, filed February 8, 2000, which application [Pursuant to 35 U.S.C. § 119 (e), this application] claims priority to the filing date of the United States Provisional Patent Application Serial No. 60/119,321 filed February 9, 1999, the [disclosure] disclosures of which [is] are herein incorporated by reference in their entirety.

#### IN THE CLAIMS

Cancel claims 2-25 without prejudice to renewal.

Please enter the amendment to claim 1, as shown below.

1. (Amended) An Npt2B polypeptide present in other than its natural environment, wherein said Npt2B polypeptide has the amino acid sequence set forth in SEQ ID NO:01.

## II. REMARKS

### Formal Matters

Claim 1 is pending after entry of the amendments set forth herein.

Claim 1 is amended to incorporate the limitations of claim 2 as originally filed. Accordingly, no new matter is added.

The specification is amended to show cross-reference to the parent applications.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Originally filed claims 2-25 are canceled without prejudice to renewal.


## III. CONCLUSION

Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number ROCH001DIV.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: Jan. 17, 2002

By:   
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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE SPECIFICATION**

On page 1, please amend the paragraph under "CROSS-REFERENCE TO RELATED APPLICATIONS" as follows:

This application is a divisional application of U.S. Patent Application Serial No. 09/499,964, filed February 8, 2000, which application [Pursuant to 35 U.S.C. § 119 (e), this application] claims priority to the filing date of the United States Provisional Patent Application Serial No. 60/119,321 filed February 9, 1999, the [disclosure] disclosures of which [is] are herein incorporated by reference in their entirety.

**IN THE CLAIMS**

1. (Amended) An Npt2B polypeptide present in other than its natural environment, wherein said Npt2B polypeptide has the amino acid sequence set forth in SEQ ID NO:01.